

REMARKS

Claims 1, 2, 7, 14 and 15 have been rejected under § 102 as being anticipated by Dhaemers. Claims 3, 4 and 16 have been rejected under § 103 as being obvious over Dhaemers. Claims 5, 6, 8-13 and 17-25 have been rejected under § 103 as being obvious over Dhaemers in combination with Didlick. Claims 1-25 have also been provisionally rejected for double patenting based upon Applicant's co-pending application, Serial No. 10/406,814. Applicant respectfully traverses these rejections, and requests reconsideration of the claims.

Claim 1 is directed towards a combination tumble and cabinet clothes dryer having both a tumble dryer and a cabinet dryer in the housing. The Dhaemers patent discloses a dryer which is either a cabinet dryer or a tumble dryer, but is not both at the same time. In essence, Dhaemers is a cabinet dryer which can be converted to a tumble dryer with the addition of a rotatable drum. However, upon the addition of the rotatable drum, Dhaemers is no longer a cabinet dryer. Therefore, Dhaemers does not meet the preamble limitations of claim 1.

Dhaemers also fails to meet the other limitations of claim 1. In particular, claim 1 requires a seal on the cabinet door which sealingly engages the control panel when the cabinet door is closed. The Examiner cites the cabinet doors 18, 19 and an alleged seal 110 on the cabinet door. However, as described at column 5, line 1, the component 110 of Dhaemers is a damper or a gate, and not a seal, contrary to the Examiner's assertion. Furthermore, the damper/gate 110 of Dhaemers is located at the rear of the control area of the dryer, while the doors 18, 19 are on the front of the dryer. Thus, the damper/gate 110 is not on, or anywhere close to the doors 18, 19, and accordingly cannot function as a seal. Therefore, the Examiner's analysis of Dhaemers is incorrect and is fatal to the § 102 rejection. Accordingly, the § 102

rejection of claim 1 should be withdrawn. Claims 2-7 depend from claim 1 and should be allowable as dependents from an allowable base claim.

Independent claim 8 is similar to claim 1 in being directed towards a combination tumble and cabinet clothes dryer having both a tumble dryer and a cabinet dryer in the housing. As discussed above with respect to claim 1, Dhaemers does not meet this limitation. The Examiner does not cite any other references to overcome this deficiency of Dhaemers. Therefore, claim 8 distinguishes over Dhaemers so as to be allowable.

Furthermore, claim 8 requires a cabinet door with a lip on its inner surface to direct condensation away from the control panel. The Examiner acknowledges that Dhaemers does not have such a lip on the inner surface of either of the doors 18, 19, but cites the Didlick patent for such a lip. The Examiner specifically cites column 3, lines 10-64 of Didlick as teaching such a lip on the inner surface of the door. However, this passage of Didlick has no reference to either a door or a lip. The only door shown in the Didlick drawings is reference numeral 1, which is discussed only in the specification at column 2, line 24. There are no drawings and no written description in Didlick regarding the inner surface of the door 1 or a lip thereon. Therefore, the Examiner's conclusion that Didlick discloses a door inner surface with a lip is erroneous, such that the § 103 rejection is fatally flawed. Accordingly, the § 103 rejection of claim 8 must be withdrawn. Claims 9-13 depend from claim 8 and should be allowable as depending from an allowable base claim.

Independent claim 14 is directed towards an appliance having a housing, a working area within the housing, a door to provide access to the working area, and a control panel that control operation of the appliance. Claim 14 further provides for "a seal on the door sealingly engaging a control panel when the door is closed." As discussed above with respect to claim 1, Dhaemers

does not have such a seal on the door, as required by claim 14. The component 110 of Dhaemers cited by the Examiner is not on the doors 18, 19 and is not a seal. Therefore, Dhaemers fails to anticipate claim 14 such that the § 102 rejection should be withdrawn. Claims 15-19 depend from claim 14 and should be allowable as depending from an allowable base claim.

Independent claim 20 is directed towards an appliance with a housing and a working area therein, with a door and a control panel. Claim 20 further provides that the door have "an inner surface with a lip to direct condensation away from the control panel." As discussed above with respect to claim 8, neither Dhaemers nor Didlick teach or suggest such a lip on the inner surface of a door. The Examiner acknowledges that Dhaemers does not have such a lip and does not cite any specific structure in Didlick for such a lip. Rather, the Examiner merely cites the passage at column 3, lines 10-64 of Didlick as disclosing a lip, even though no such lip on the door is discussed or shown anywhere in Didlick. Therefore, the combination of Dhaemers and Didlick fails to meet the limitations of claim 20, which distinguishes over the references so as to be allowable. Claims 21-25 depend from claim 20 and should be allowable as depending from an allowable base claim.

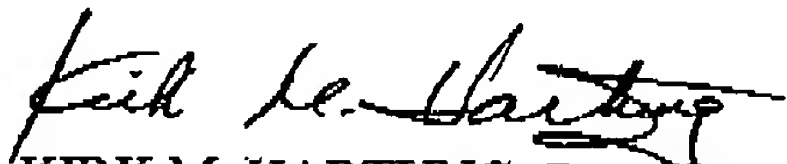
With respect to the provisional double patenting rejection, Applicant's co-pending application 10/406,814 does not include any claims directed to dryer or appliance doors, control panels, seals, or lips, as in the claims of this application. The Examiner asserts that the shelves required in the claims of the '814 application could be an obvious variation to the present claims. The present application has no claims directed to shelves of a dryer or appliance. Therefore, there seems to be no basis to conclude that shelves are an obvious variation of a door seal or door lip. Accordingly, the double patenting rejection should be withdrawn.

In view of the foregoing, Applicant respectfully requests that a Notice of Allowance be issued.

No fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Reconsideration and allowance is respectfully requested.

Respectfully submitted,



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